IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.819 OF 2007
IN
CRIMINAL APPEAL NO. 667 OF 2007

Asif Abdul Kayyu Khan ..Applicant

Vs.

State of Maharashtra ..Respondent

...

Mr.A.M.Saraogi Advocate for Applicant
Mr.A.S.Shitole APP for State

...

WITH
CRIMINAL APPLN.NO.847 OF 2007
IN
CRIMINAL APPEAL NO.698 OF 2007

Manish S/o Lal Bhadur Singh ..Applicant

Vs.

State of Maharashtra ..Respondent

...

Mr.A.M.Saraogi Advocate for Applicant
Mr.A.S.Shitole APP for State

...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : NOVEMBER 22, 2007

P.C.

1. Heard the learned advocate for the applicants and the learned A.P.P. for the State.

2. Both the applicants have been mainly convicted under Sections 376(2)(g) of Indian Penal Code. The maximum sentence imposed upon them is five years. The fine amount has already been deposited. Out of the five years, the applicants have undergone almost half the period of imprisonment. The appeals are not likely to come up for hearing in nearfuture. Looking to these facts and the evidence on record, I am inclined to grant bail to the applicants.

3. Each of both the applicants i.e. applicant-Asif Abdul Kayyu Khan and applicant-Manish Lal Bhadur Singh to be released on bail in the sum of Rs.25,000/- each (Rs. twenty five thousand only) with one or two sureties to make up the said amount. During the period that applicants are on bail, they shall report to Versova police station once in a fortnight.

4. The fine amount and compensations granted to P.W.1 Dilshad Mohd. Shabir Babil i.e. complainant

and victim lady have been deposited in the trial Court. Mr.Saraogi fairly stated on instructions that the complainant i.e. victim lady may be allowed to withdraw the said amount. In view of this statement, it would be open to the complainant lady to withdraw the said amount on furnishing adequate security.

5. Applications are disposed of.

[SMT.V.K.TAHILRAMANI, J.]